

**STATE OF MAINE  
SUPREME JUDICIAL COURT**

ADMINISTRATIVE ORDER JB-06-1

**FAMILY DIVISION MAGISTRATE PILOT PROJECT**

Effective: May 1, 2006

WHEREAS, the Chief Justice of the Supreme Judicial Court has been authorized to establish a pilot project in which one or more Family Law Magistrates have jurisdiction to hear and dispose of all elements of a divorce action when both parties consent;

WHEREAS, Family Law Magistrates have not previously been authorized to issue final orders in contested matters, other than Child Support Orders;

NOW, THEREFORE, it is ORDERED that the Family Law Magistrates are authorized to hear and dispose of all elements of a divorce action with children when both parties consent, subject to the Project Rules appended hereto which shall govern the pilot project.

For the Court,

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LEIGH I. SAUFLEY  
Chief Justice  
Maine Supreme Judicial Court

Promulgation Date: April 13, 2006

**APPENDIX A TO JB-06-1****PROJECT RULES FOR THE FAMILY LAW MAGISTRATE PILOT PROJECT  
AUTHORIZED BY 4 M.R.S. § 183(4)**

As a project exception to the Rules for the Family Division of the Maine District Court, Family Law Magistrates sitting in specified locations may exercise jurisdiction to hear and dispose of all elements of a divorce action with children when both parties consent.

**RULES:**

1. Purpose of Pilot Rules: These rules govern the Family Law Magistrates' exercise of jurisdiction to hear and dispose of all elements of a divorce action with children when both parties consent.
2. Scope of Pilot Project:
  - a. Family Law Magistrates sitting in the following courts are authorized to hear and dispose of all elements of a divorce action with children when both parties consent provided that the Family Law Magistrate determines that is reasonably likely that the hearing can be completed within two hours:
    - (i) Houlton
    - (ii) Bangor
    - (iii) Waterville
    - (iv) Lewiston
    - (v) Bridgton
  - b. In a divorce action in which a status conference or other hearing before a Family Law Magistrate has already been scheduled, Family Law Magistrates sitting in the following courts are authorized to hear and dispose of all elements of a divorce action with children when both parties consent provided that the Family Law Magistrate can complete the hearing within the time allocated to the case:

- (i) Caribou
- (ii) Presque Isle
- (iii) Dover
- (iv) Ellsworth
- (v) Skowhegan
- (vi) Rumford
- (vii) Rockland
- (viii) West Bath
- (ix) Augusta
- (x) Portland
- (xi) Springvale
- (xii) Biddeford

3. Procedure:

- a. If both parties agree, they may request that a Family Law Magistrate hear and dispose of all elements of their divorce action with children. The parties shall submit their request on the form, appended hereto as Form A. Neither party shall file such request unless the other party is in agreement, and has signed the form. This shall be the exclusive means of submitting a request.
  - b. Upon receipt of the completed form, the clerk, in consultation with the Family Law Magistrate, may schedule a contested hearing before a Family Law Magistrate.
4. Appeals: All appeals from or objections to final orders issued by a Family Law Magistrate pursuant to the Pilot Project shall be governed by Rule III(G) of the Rules for the Family Division of the Maine District Court.
5. Miscellaneous: Matters not otherwise addressed in these project rules shall be governed by the Rules for the Family Division of the Maine District Court and the Maine Rules of Civil Procedure.

**FORM A TO APPENDIX A TO JB-06-1**

STATE OF MAINE

District Court

Location \_\_\_\_\_

Docket No. \_\_\_\_\_

V.

FINAL HEARING REQUEST FORM

\_\_\_\_\_

The undersigned parties request a final hearing on all contested issues before a Family Law Magistrate.

We certify the matter in question can be heard:

☐ In \_\_\_\_\_ hours or less (No more than two hours)

☐ In the time set for hearing or conference scheduled on \_\_\_\_\_.

The issues in dispute are shown:

☐ On the Mediation Report dated: \_\_\_\_\_

☐ On the Pre-Trial/Status Conference Order Form dated: \_\_\_\_\_

We understand that we have the right to have a contested hearing before a Judge. We also understand the final order issued by the Family Law Magistrate will be subject to appeal by first filing an objection in the District Court within 21 days of the entry of the order, and the order will ultimately be subject to appellate review in the same manner as any final order issued by a District Court Judge.

Date: \_\_\_\_\_

\_\_\_\_\_  
Plaintiff

\_\_\_\_\_  
Defendant

**This form must be signed by both parties and submitted to the Clerk or the Magistrate. DO NOT SUBMIT THIS FORM UNLESS IT IS SIGNED BY BOTH PARTIES.**